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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/844,879	04/27/2001	Mika Forssell	975.336USW1	1754

32294 7590 11/21/2003

SQUIRE, SANDERS & DEMPSEY L.L.P.  
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8000 TOWERS CRESCENT  
TYSONS CORNER, VA 22182

EXAMINER
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IQBAL, KHAWAR

ART UNIT	PAPER NUMBER
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2686

DATE MAILED: 11/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/844,879

Applicant(s)

FORSSELL, MIKA

Examiner

Khawar Iqbal

Art Unit

2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 17,18,21-26,28-34 and 36 is/are rejected.
- 7) ☒ Claim(s) 19,20,27 and 35 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_.
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 04. 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 17,18,21-26,28-34 and 36 are rejected under 35 U.S.C. 102(e) as being unpatentable by Josse et al (6104929).
3. Regarding claim 17 Josse et al teaches a method for restoring a subscriber context in a network element of a mobile communication network, comprising the steps of (abstract, figs. 3-5):

transmitting a restart information indicating whether a subscriber context has been updated after the latest restart (col.3, lines 24-40, col. 7, lines 33-48, col. 8, lines 1-20);

continuing the use of a subscriber context updated after said latest restart (col.3, lines 33-53, col. 9, lines 40-65, col. 12, lines 20-55); and

inactivating a subscriber context updated before the latest restart (col. 3, lines 40-53, col. 9, lines 64-col. 10, line 7, col. 15, lines 9-11).

Regarding claim 26 Josse et al teaches a system for restoring a subscriber context in a network element of a mobile communication network, comprising (abstract, figs. 3-5):

transmitting means for transmitting to said network element a restart information indicating whether a subscriber context has been updated after the latest restart (col. 3, lines 24-40, col. 7, lines 33-48, col. 8, lines 1-20);

wherein said network element comprises receiving means for receiving said restart information, and control means for continuing the use of a subscriber context updated after said latest restart (col. 3, lines 33-53, col. 9, lines 40-65, col. 12, lines 20-55) and for inactivation a subscriber context updated before said latest restart, in response to said restart information (col. 3, lines 40-53, col. 9, lines 64-col. 10, line 7, col. 15, lines 9-11).

Regarding claim 31 Josse et al teaches a network element for a mobile communication network, comprising transmitting means for transmitting a restart information indicating whether a subscriber context has been updated after the latest restart (col. 3, lines 24-53, col. 7, lines 33-48, col. 8, lines 1-20).

Regarding claim 34 Josse et al teaches a network element for a mobile communication network, comprising (abstract, figs. 3-5):

receiving means for receiving a restart information indicating whether a subscriber context has been updated after the latest restart (col. 3, lines 24-53, col. 7, lines 33-48, col. 8, lines 1-20), and

control means for continuing the use of a subscriber context updated after said latest restart and for inactivating a subscriber context updated before said latest restart in response to said restart information (col. 3, lines 40-53, col. 9, lines 64-col. 10, line 7, col. 15, lines 9-11).

Regarding claims 18,21,28,29,32 Josse et al teaches wherein said restart information is a restart counter value and is transmitted together with a context signaling message (col. 12, lines 35-55, col. 13, lines 7-20, col. 7, lines 7-14, col. 14, lines 52-67).

Regarding claim 22 Josse et al teaches wherein said network element is GPRS support node, and wherein said restart information is transmitted together with a tunnel management signaling message (abstract, col. 21, lines 33-53).

Regarding claims 23,30,36 Josse et al teaches wherein said subscriber context is a PDP context (abstract, col. 21, lines 33-53).

Regarding claims 24,33 Josse et al teaches wherein said restart information is transmitted separately or in a separate message (abstract, col. 21, lines 33-53, (col. 12, lines 35-55, col. 7, lines 7-14, col. 14, lines 52-67).

Regarding claims 25 Josse et al teaches wherein said restart information is a restart counter value (abstract, col. 21, lines 33-53, col. 12, lines 35-55, col. 7, lines 7-14, col. 14, lines 52-67).

***Allowable Subject Matter***

4. Claims 19, 20, 27 and 35 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHAWAR IQBAL whose telephone number is 703-306-3015.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **BANKS-HAROLD, MARSHA**, can be reached at 703-305-4379.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314 (for Technology Center 2684 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

**Any inquiry of a general nature or relating to the status of this application**

**or proceeding should be directed to the Technology Center 2600**

**Customer Service Office whose telephone number is (703) 306-0377.**

Khawar Iqbal



*Marsha D Banks-Harold*

MARSHA D. BANKS-HAROLD  
SUPERVISORY PATENT EXAMINER  
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